

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WAYNE BALIGA, derivatively on behalf of
LINK MOTION INC. (F/K/A NQ MOBILE INC.)

Plaintiff,

-against-

LINK MOTION INC. (F/K/A NQ MOBILE
INC.), VINCENT WENYONG SHI, JIA LIAN,
XIAO YU,

Defendants,

-and-

LINK MOTION INC. (F/K/A NQ MOBILE
INC.),

Nominal Defendant.

Civil Action No.: 1:18-cv-11642

**REPLY DECLARATION OF JAE H.
CHO IN FURTHER SUPPORT OF
MOTION TO INTERVENE**

JAE H. CHO declares, pursuant to 28 U.S.C. 1746, as follows:

1. I am an attorney duly admitted to practice law before the United States District Court for the Southern District of New York. I am counsel of record for Intervenor-Plaintiff China AI Capital Limited (“Intervenor-Plaintiff”).

2. I make this reply declaration in further support of Intervenor-Plaintiff’s motion for an Order granting Intervenor-Plaintiff (i) leave, pursuant to Fed. R. Civ. Proc. 24(a)(2), to intervene as of right and file its Third-Party Complaint and (ii) modifying, pursuant to Fed. R. Civ. Proc. 60, the preliminary injunction and receivership entered in the Court’s February 1, 2019 order (ECF Dkt. No. 26).

3. As set forth more fully in the accompany Declaration of Hua Jingyuan, Mr. Hua is the sole beneficial owner and director of Intervenor-Plaintiff. Mr. Hua understands and communicates in the English language.

4. Annexed hereto as **Exhibit U** is a true and correct copy of a translation of an Accounting Voucher (along with the original) setting forth an equity investment in Link Motion Inc. (“LKM”) by Intervenor-Plaintiff in July 2018.

5. Annexed hereto as **Exhibit V** is a true and correct copy of “Exhibit B” to the Receiver’s letter of May 2, 2020.

6. Annexed hereto as **Exhibit W** is a true and correct copy of a Register of Members of HH-Medic Inc.

7. Annexed hereto as **Exhibit X** is a true and correct copy of a Subscription Agreement, dated as of July 19, 2018, by and between Plaintiff-Intervenor and LKM.

8. Annexed hereto as **Exhibit Y** is a true and correct copy of an excerpt of the Articles of Association of LKM that was original annexed as “Exhibit F” to a letter from Robert W. Seiden (the “Receiver”), dated May 2, 2020.

9. Annexed hereto as **Exhibit Z** is a true and correct copy of a letter from the Receiver dated May 20, 2020.

10. Annexed hereto as **Exhibit AA** is a true and correct copy of a Declaration of Guo Lingyun, dated May 2, 2020, that was originally annexed as “Exhibit A” to the Receiver’s letter of May 2, 2020.

11. Wherefore, Intervenor-Plaintiff China AI Capital Limited respectfully requests the Court to enter an Order (i) granting Intervenor-Plaintiff leave to join this action as a party and file its Complaint in Intervention; (ii) modifying the Order, dated February 1, 2019, (a) to dissolve the preliminary injunction granted therein, (b) terminating all powers and authority of the receiver, (c) returning to the Board of Directors its powers and authorities under the corporate documents of Link Motion Inc. and the laws of the Cayman Islands, and (d) directing the

receiver to account for all activities, and granting such other and further relief as the Court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 29, 2020

/s/ Jae H. Cho
Jae H. Cho